

ORIGINAL**IN THE UNITED STATES COURT OF FEDERAL CLAIMS****NEW BREED LEASING CORP.,***Plaintiff,*

v.

UNITED STATES OF AMERICA,*Defendant,*

and

APL LOGISTICS, LTD.,*Intervenor.***FILED**

JUL 11 2003

U.S. COURT OF
FEDERAL CLAIMSNo. 03-115C
(Judge Baskir)**JOINT MOTION TO MODIFY THE
FINAL PROTECTIVE ORDER**

New Breed Leasing Corp. ("New Breed") and APL Logistics, Ltd. ("APL") hereby respectfully request that the Court modify its June 25, 2003 Final Protective Order to direct the Clerk of Court to file Tab 52 of the Administrative Record under seal. Counsel for Defendant concurs in this request.

In their May 16, 2003 Joint Statement Regarding the Status of Documents Filed Under Seal, the parties inadvertently labeled Tab 52 as "Public." Tab 52, however, is a memorandum containing the United States


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Postal Service's analysis of New Breed's and APL's prices. As such, Tab 52 contains proprietary and source-selection-sensitive material, the release of which could result in competitive advantage to competitors of New Breed and APL, and should therefore be protected under the Court's Final Protective Order.

WHEREFORE, for the foregoing reasons, New Breed and APL respectfully request that the Court grant this Joint Motion To Modify the Final Protective Order.

Respectfully submitted,

NEW BREED LEASING CORP.

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Respectfully submitted,

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July 11, 2003

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APL LOGISTICS, LTD.,

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No. 03-115C
(Judge Baskir)

ORDER

This matter comes before the Court on New Breed Leasing Corp.'s and APL Logistics, Ltd.'s Joint Motion To Modify the Final Protective Order.

It is hereby:

ORDERED that the Joint Motion To Modify the Final Protective Order is hereby granted. The Clerk of Court is directed to remove Tab 52 of the Administrative Record from the Public files of the Court and to file Tab 52 under seal.

Dated: _____

Judge


CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of July 2003, I caused a copy of the foregoing Joint Motion To Modify the Final Protective Order to be served by facsimile to the following:

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